

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS AND LABOR

Call to Order: By **CHAIRMAN JOE MCKENNEY**, on March 12, 2003 at 8:00 A.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Joe McKenney, Chairman (R)
Rep. Jim Keane, Vice Chairman (D)
Rep. Donald Steinbeisser, Vice Chairman (R)
Rep. Bob Bergren (D)
Rep. Rod Bitney (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Nancy Fritz (D)
Rep. Dave Gallik (D)
Rep. Kathleen Galvin-Halcro (D)
Rep. Ray Hawk (R)
Rep. Bob Lawson (R)
Rep. Rick Maedje (R)
Rep. Gary Matthews (D)
Rep. Scott Mendenhall (R)
Rep. Penny Morgan (R)
Rep. Allen Rome (R)
Rep. Sandy Weiss (D)
Rep. Bill Wilson (D)

Members Excused: None.

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Alberta Strachan, Committee Secretary

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing & Date Posted: SB 180 (3/1/03); SB 216 (3/1/03);
SB 188 (3/1/03); SB 28 (3/1/03)

Executive Action: SB 143 Be Concurred In; SB 28 Be
Concurred In; SB 180 Be Concurred
In; SB 216 Be Concurred In.; SB 188
Be Concurred In

HEARING ON SB 180

Sponsor: SEN. DON RYAN, SD 22, Great Falls

Opening Statement by Sponsor:

SEN. RYAN said this bill is an act making permanent the provision that allows an individual who leaves work or is discharged because of circumstances resulting from domestic violence, will be able to receive unemployment benefits.

{Tape: 1; Side: A; Approx. Time Counter: 10 - 67}

Proponents' Testimony:

Jerry Driscoll, Montana State AFL-CIO, said the employers account is not charged so this bill does not effect the rate of the individual employer if that employer should be required to pay unemployment benefits.

{Tape: 1; Side: A; Approx. Time Counter: 67 - 78}

Opponents' Testimony: None

Informational Testimony:

Kevin Braun, Department of Labor & Industry, said he was available to answer questions.

{Tape: 1; Side: A; Approx. Time Counter: 78 - 85}

Beth Satre, Public Policy Specialist, Montana Coalition Against Domestic & Sexual Violence, provided written testimony but did not testify as a proponent.

EXHIBIT (buh52a01)

Questions from Committee Members and Responses:

REP. LAWSON asked Mr. Braun for clarification of who actually pays into unemployment insurance. Mr. Braun said the employers pay into the unemployment insurance account. Employees do not pay into the account.

{Tape: 1; Side: A; Approx. Time Counter: 85 - 94}

REP. MAEDJE asked Mr. Braun about the qualifications to receive unemployment benefits. **Mr. Braun** said that individual must provide one or more of the qualifications which already appear in statute.

{Tape: 1; Side: A; Approx. Time Counter: 94 - 120}

REP. BOOKOUT-REINICKE asked Mr. Braun about the confidentiality for an individual who might be in a serious abusive situation and he/she must move out-of-state. **Mr. Braun** said any of the information obtained pursuant to the unemployment insurance chapter remains confidential and that is the rule by statute.

{Tape: 1; Side: A; Approx. Time Counter: 120 - 156}

Closing by Sponsor:

The sponsor closed and indicated REP. GOLIE will carry the bill on the House floor.

HEARING ON SB 216

Sponsor: SEN. VICKI COCCHIARELLA, SD 32, Missoula

Opening Statement by Sponsor:

SEN. COCCHIARELLA said this bill provided that a former member of the Self-Insurers Guaranty Fund is liable for assessments made by the Fund in any year following the date that the member's status as a private self-insurer is terminated. It also requires former member's assessment to be based on benefits paid during the last calendar year immediately preceding the annual assessment.

{Tape: 1; Side: A; Approx. Time Counter: 173 - 203}

Proponents' Testimony:

George Wood, Executive Secretary, Montana Self-Insurers Association and Executive Secretary, Montana Self-Insurers Guaranty Fund, said this bill establishes the Guaranty Fund. If, for any reason, the self-insured employer is unable to pay benefits, the other self-insurers are liable to assess themselves to pay the benefits. This stipulation already exists in statute. The purpose is to see that under no circumstances, will an injured worker lose benefits.

{Tape: 1; Side: A; Approx. Time Counter: 203 - 254}

Opponents' Testimony: None

Informational Testimony:

Kevin Braun, Department of Labor & Industry, said he was available to answer questions.

Questions from Committee Members and Responses:

REP. MENDENHALL asked Mr. Braun if there were any other plans of insurance. **Mr. Braun** said there was Plan II and Plan III. These are the private insurers and the State Fund.

{Tape: 1; Side: A; Approx. Time Counter: 268 - 287}

Closing by Sponsor:

The sponsor closed and indicated **REP. KEANE** would carry the bill on the House floor.

HEARING ON SB 188

Sponsor: **SEN. VICKI COCCHIARELLA, SD 32, Missoula**

Opening Statement by Sponsor:

SEN. COCCHIARELLA said this bill was an act which required the Department of Labor and Industry to include licensed electrical contractors and licensed master plumbers in the standard prevailing wage survey.

{Tape: 1; Side: A; Approx. Time Counter: 299 - 336}

Proponents' Testimony:

Jerry Driscoll, Montana State AFL-CIO, said this bill only contains language referring to the Department of Labor conducting a prevailing wage survey, to acquire more accurate data for the department so they may determine wages being paid to craft employees by employers.

{Tape: 1; Side: A; Approx. Time Counter: 336 - 356}

Bob Pavlovich, International Brotherhood of Electrical Workers 233 of Montana, said they supported this bill.

{Tape: 1; Side: A; Approx. Time Counter: 356 - 363}

Margaret Morgan, Independent Electrical Contractors Association, said they supported this bill.

{Tape: 1; Side: A; Approx. Time Counter: 363 - 369}

Opponents' Testimony: None

Informational Testimony:

Kevin Braun, Department of Labor & Industry, said he was available to answer questions.

Questions from Committee Members and Responses: None

Closing by Sponsor:

The sponsor closed.

{Tape: 1; Side: A; Approx. Time Counter: 490 - 500}

EXECUTIVE ACTION ON SB 143

{Tape: 1; Side: B; Approx. Time Counter: 1 - 391}

Motion: REP. MAEDJE moved that SB 143 BE CONCURRED IN.

Motion: REP. MAEDJE moved that SB 143 BE AMENDED.

EXHIBIT (buh52a02)

Discussion:

REP. BOOKOUT-REINICKE said she supported this bill.

REP. KEANE said with the amendments, the bill is changed too much so he opposed the amendments.

Vote: A roll call vote was taken. Motion carried 10-8 with REPS. KEANE, BERGREN, FRITZ, GALLIK, GALVIN-HALCRO, LAWSON, WEISS, WILSON voting no.

Motion/Vote: REP. MAEDJE moved that SB 143 BE CONCURRED IN AS AMENDED. Motion carried 12-6 with REPS. KEANE, FRITZ, WEISS, GALLIK, GALVIN-HALCRO, WILSON voting no.

REP. MENDENHALL will carry the bill on the House Floor.

EXECUTIVE ACTION ON SB 28

Motion/Vote: REP. BITNEY moved that SB 28 BE CONCURRED IN. Motion carried 18-0.

Motion/Vote: REP. BOOKOUT-REINICKE moved SB 28 BE PLACED ON CONSENT CALENDAR. Motion carried 18-0.

REP. MAEDJE will carry the bill on the House Floor.

EXECUTIVE ACTION ON SB 180

Motion/Vote: REP. BOOKOUT-REINICKE moved that SB 180 BE CONCURRED IN. Motion carried 18-0.

Motion: REP. BOOKOUT-REINICKE moved SB 180 BE PLACED ON THE CONSENT CALENDAR. CHAIRMAN MCKENNEY denied the request.

REP. MAEDJE will carry the bill on the House Floor.

EXECUTIVE ACTION ON SB 188

Motion/Vote: REP. BERGREN moved that SB 188 BE CONCURRED IN. Motion carried 18-0.

Motion: REP. MAEDJE moved SB 188 BE PLACED ON THE CONSENT CALENDAR. REP. GALVIN-HALCRO objected.

EXECUTIVE ACTION ON SB 216

Motion: REP. WEISS moved that SB 216 BE CONCURRED IN. Motion carried 18-0.

REP. KEANE will carry the bill on the House Floor.

ADJOURNMENT

Adjournment: 9:00 A.M.

REP. JOE MCKENNEY, Chairman

ALBERTA STRACHAN, Secretary

JM/AS

EXHIBIT (buh52aad)